

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|   |   |                     |
|---|---|---------------------|
| <b>STRATEGIC CAPITAL INV., LLC,</b>       | : |                     |
| <i>Plaintiff,</i>                         | : | <b>CIVIL ACTION</b> |
|   | : |                     |
| v.  | : |                     |
|   | : |                     |
| <b>BILL MILLER EQUIPMENT SALES, INC.,</b> | : | <b>No. 17-2174</b>  |
| <i>Defendant.</i>                         | : |                     |

**ORDER**

**AND NOW**, this 24th day of January, 2019, upon consideration of Defendant's Motion for Summary Judgment (Doc. No. 45), Plaintiff's Response (Doc. No. 52), Plaintiff's Motion for Partial Summary Judgment (Doc. No. 46), Defendant's Response (Doc. No. 51), the parties supplemental briefing (Doc. Nos. 57 & 59), and oral argument held on November 14, 2018, it is **ORDERED** that Defendant's Motion for Summary Judgment (Doc. No. 45) and Plaintiff's Motion for Partial Summary Judgment (Doc. No. 46) are **DENIED**.

BY THE COURT:

/s/ Gene E. K. Pratter \_\_\_\_\_  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE